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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,316	04/28/2004	Jon Zan Scoot	001300	3315
29569	7590	09/28/2005	EXAMINER	
JEFFREY FURR 253 N. MAIN STREET JOHNSTOWN, OH 43031			FIELD, LINDA PENA	
			ART UNIT	PAPER NUMBER
			2855	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/709,316

Applicant(s)

SCOOT, JON ZAN

Examiner

Linda P. Field

Art Unit

2855

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ormond (3680372).

With respect to Claims 1 and 11, Ormond teaches a load cell (integral body 19, Figure 1); with a shear measurement section (shear plate 21, Figure 4), with material being removed to form a plurality of slots (cuts 22, 24, 23 and 25, Figure 4), with two or more slots on either side of said shear measurement section which increases deformation points (cuts 22, 24, 23 and 25, Figure 4).

2. With respect to Claims 2 and 12, Ormond teaches the said slots are connected to a hole within said load cell (cuts 22, 24, 23 and 25 have a hole within the load cell as seen in Figure 4).

3. With respect to Claims 3 and 13, Ormond teaches the slots are used to equalize stress at deformation points (the cutouts provide improvement in load transfer and thereby equalize the stress at various points, Column 4, lines 15-20).

4. With respect to Claims 4 and 14, Ormond teaches the shear measurement section is a gage hole (shear plate 21 is a gage hole as seen in Figure 4).

5. With respect to Claims 5 and 15, Ormond teaches the device has strain gages located in said shear measurement section (H1 and V1 are strain gages located in the shear measurement section, Figures 3 and 4).
6. With respect to Claims 6 and 16, Ormond teaches the device has strain gages located in said gage hole (H1 and V1 are strain gages located in the shear measurement section, Figures 3 and 4).
7. With respect to Claims 7 and 17, Ormond teaches the device wherein there are two slots above said shear measurement section and two slots below said shear measurement section (Figures 3 and 4 has the two slots, 24 and 25, above the shear measurement section 21 and two slots, 22 and 23, below the shear measurement section).
8. With respect to Claims 8 and 18, Ormond teaches the device wherein there are two slots above said shear measurement section and two slots below said gage hole (Figures 3 and 4 has the two slots, 24 and 25, above the shear measurement section 21 and two slots, 22 and 23, below the shear measurement section).
9. With respect to Claims 9 and 19, Ormond teaches the device wherein there are two slots above said shear measurement section and two slots below said gage hole (Figures 3 and 4 has the two slots, 24 and 25, above the shear measurement section 21 and two slots, 22 and 23, below the shear measurement section).
10. With respect to Claims 10 and 20, Ormond teaches the device wherein there are two slots above said shear measurement section and two slots below said gage hole

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(Figures 3 and 4 has the two slots, 24 and 25, above the shear measurement section 21 and two slots, 22 and 23, below the shear measurement section).

**Remarks**


11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patents 4143727, 4600066, 5591943, 6898989, 4561512, 6755087 and 3365689 pertain to load cells.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda P. Field whose telephone number is 571-272-6001. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on 571-272-2180. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LPF

  
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